

Town of Newburgh
Historic Preservation Commission
Minutes September 10, 2020

Members Present:

Jim Renne, Jeff Cox, Brent Grafe, Heather Cutrell, David Wills, Troy Wells, Don Shanks

Advisory Members Present:

Candice Croix; Sue Morrison, Advisory

Administrative Present:

Stacie Krieger, Council Liaison; Chris Wischer, Town Attorney; Tavi Wydicks, Zoning Administrator; Christy Powell, Town Manager

Members & Administrative Absent:

Citizens Present:

Kevin & Genea Williams, 610 Middle Street
Nate Mominee, Mominee Homes
Paul Elpers, Elpers Brothers Construction
Michelle Bosler, 24 W. Jennings Street
Janet Richard, 221 State Street
Matt Malcolm, KDDK

Jim Renne opted to change the order of the agenda as follows:

New Business:

Discussion – 610 Middle Street Removal of Historic Rating

Mr. & Mrs. Williams stated that they submitted a permit request for window and siding replacement and was told the Commission would have to approve the request due to the home being located in the historic district and the home having a rating. The Commission questioned what the current materials are and the type of replacement material requested, and Mr. & Mrs. Williams stated that the current windows are a mixture of wood and vinyl and the current siding is wood, and they are requesting vinyl windows and vinyl siding. Chris Wischer explained the process of removing the historic rating from a property in the historic district. Mrs. Williams asked if the property can be left in the district, but the Commission still allow the updates requested. Mr. Wischer explained the core and expanded districts and the guidelines for both. Jim Renne stated that vinyl siding is an issue. The Commission discussed the use of vinyl siding in the district. The Commission discussed the historic rating of the property, past exterior changes, and the proposed work.

David Wills moved to remove the historic rating from the property at 610 Middle Street. Troy Wells seconded the motion and the motion passed with the following roll call vote:

Jim Renne - No	Jeff Cox - No
David Wills - No	Troy Wells - Yes
Heather Cuttrel - Yes	Brent Grafe - Yes
Don Shanks - Yes	

COA Application – 106 State Street

Nate Mominee explained the project to the Commission. The Commission discussed the application with Mr. Mominee. Jim Renne detailed the guidelines and stated that a rooftop dormer already exists. Mr. Mominee stated that the existing dormer is not visible form the ground and was previously approved by the Commission. The Commission continued discussing the application.

David Wills moved to approve the COA application. Brent Grafe seconded the motion and the motion passed unanimously.

COA Application – 24 W. Jennings Street

Paul Elpers explained the request to the Commission. Mr. Elpers stated that they are demolishing the wooden fence and pool. The Commission discussed the request. The property owner stated that a lot of the historic details were removed over the years and they would like to replace those details. The Commission questioned the details of the work and materials, and the contractor clarified the information presented. The Commission continued discussion with the owner and contractor regarding the COA application. The property owner stated that they would like for the property to look more authentic and visually appealing. Jeff Cox clarified that any work not visible from the right of way would not require HPC approval. Discussion continued regarding the details of the project.

David Wills moved to approve the COA application without the proposed carport.

Troy Wells seconded the motion and the motion passed with Jim Renne abstaining from the vote.

Unfinished Business:

Discussion – 221 State Street Garage

Matt Malcolm reviewed the discussion from the last meeting and stated that he and Ms. Richards left with the understanding that there would be an agreement of a nominal fine, and were surprised by the offer of a \$2,500.00 fine and five years to replace the vinyl siding. Mr. Malcolm continued discussing the proposals he and Ms. Richard made at the last meeting and the proposal from HPC. Ms. Richards stated that she did not intentionally go against the COA and that she has always followed every rule when renovating her property. Ms. Richards discussed the violation with the Commission. Chris Wischer detailed his previous conversations with Mr. Malcolm and the offers presented by Mr. Malcolm at the last meeting. Mr. Wischer stated that there was no agreement reached at the last meeting, and reminded the Commission that Mr. Malcolm presented three potential settlement offers, one of which included a fine of \$2,500.00 and a covenant for replacement. Mr. Wischer stated that Mr. Renne did state that he wanted a fine implemented, even if nominal, but a nominal fine was not the consensus of the Commission. Mr. Wischer stated that at the end of the meeting he questioned what the Commission expected in the settlement and the Commission agreed on a \$2,500.00 fine and five years to replace the vinyl siding. Ms. Richards stated that she should have been asked if the siding material was changing. Mr. Wischer stated that it was not fair to blame staff because staff asked if there were any changes besides the garage now being detached and Ms. Richards answered no. Ms. Richards stated that staff did not ask if there were additional changes. Mr. Wischer stated that staff did in fact ask if there were additional changes and read from the email conversation between Ms. Richards and staff where staff specifically asked Ms. Richards if there were any other changes, besides the detachment, than what was approved by COA and Ms. Richards responded and answered no. Mr. Renne stated that a fine and replacement need to be addressed. The Commission, Mr. Malcolm, and Ms. Richards discussed possible resolutions. Mr. Wischer stated that in previous discussions the Commission was looking at a fine and a covenant that included replacement if required due to damage, if the property is sold, or within a certain time period. David Wills stated that the mission of the Commission is to protect and maintain the historic fabric of the Town and is more interested in getting the vinyl replaced. A proposal of ten years to replace was proposed. Heather Cutrell stated that she has not been on the Commission for every meeting regarding this project and violation, but feels there needs to be recourse or otherwise what is the point of the Commission.

David Wills moved to direct legal to draft an agreement with Ms. Richards to include a \$10.00 fine and a covenant stating the vinyl will be replaced with the approved material at the earlier of the sale of the property, if damaged and needs replaced, or 10 years. Troy Wells seconded the motion and the motion passed with the following roll call vote:

Jim Renne - Yes	Jeff Cox - No
David Wills - Yes	Troy Wells - Yes
Heather Cuttrel - Yes	Brent Grafe - Yes
Don Shanks - Yes	

Discussion – 411 W. Jennings Street Historic Rating

Tavi Wydicks stated that she is working on getting in contact with the property owner, and will bring this back to the Commission once she has more information.

REPORTS:

Indiana Landmarks:

Candice Croix stated that she will be meeting with the individual in charge of National Register Nominations, and was wondering if the Town had the inclusion of the expanded districts in the National Register. Tavi Wydicks stated that she does plan to move forward with this, but due to the Town redoing the Master Plan in 2021, this may have to hold until 2022.

Staff Report and Code Enforcement Update:

Tavi Wydicks stated that she has received several complaints about the property on 323 Sycamore Street, and that the property does not have a historic rating, but it is located in the North Expanded District. Ms. Wydicks explained the code enforcement process and the next steps to move forward.

Newburgh Neighbor Residential Grant Program:

Tavi Wydicks stated that she received a grant application from Janet Richards and detailed the project. The Commission reviewed and discussed the application.

David Wills moved to recommend to the grant committee to approve the application.

Jeff Cox seconded the motion and the motion passed unanimously.

Certified Local Government:

No report.

Announcements:

Petitions and Comments from Citizens Present:

Adjourn:

David Wills moved adjourned the meeting.

Troy Wells seconded and the motion carried.

Approved @ Virtual Mtg. 3/11/2021
Chair

T. Wydick
Recorder